APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,525	07/13/2001	Barry Boone	2043.130US1	3480

			EXAMINER
49845	7590	12/12/2005	POND, ROBERT M

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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/905,525	BOONE ET AL.
	Examiner	Art Unit	
	Robert M, Pond	3625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/15/05*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Applicant amended claims 7, 18, and 31. All pending claims (1-40) were

examined in this non-final office action necessitated by new grounds of rejection.

Response to Arguments

Pertaining to Rejection under 35 USC 102 in previous office action

Applicant's arguments filed 15 April 2005 have been fully considered but they

are not persuasive. A user that selects a region-specific site and receives by the

system the region-specific site web page demonstrates the system determined

the site the user entered. The user having entered the region-specific site

receives local content. Also, I believe it is clear to the reader that marketing items

through an Internet site indicates that item information is being conveyed to a

user accessing the system that facilitates the marketing process.

Pertaining to Rejection under 35 USC 103 in previous office action

Applicant's arguments filed 15 April 2005 have been fully considered but they

are not persuasive. Both Yahoo! and Well Fargo teach online sites providing

listings in local currency to provide a customer convenience. Official Notice was

withdrawn in favor of M2P.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   **Claims 1-7 and 25-30 are rejected under 35 USC 102(b) as being**

anticipated by Yahoo! (Paper #20041209, PTO-892, Item: V).

Yahoo! teaches all the limitations of Claims 1-7 and 25-30. For example,

Yahoo! discloses Yahoo! launching three new European auction services for

Italy, Spain, and Sweden. Yahoo! further discloses:

- *Determining the site a user entered:* Please note: a user that selects a

  region-specific site and receives by the system the region-specific site

  web page demonstrates the system determined the site the user entered.

  Local content provided (see at least page 2).

- *Performing a search to locate an offering having a specified offering*

  characteristic; specified by the user: users browsing; multiple categories;

  (please note examiner's interpretation: user's searching) (V: see at least

  page 2).

- *Determining an availability of the offering in particular geographic region*

  associated with the user: users can easily browse, buy, view or sell

  (please note examiner's interpretation: item available if place for sell or

user can buy it); specific geographic regions (V: see at least pages 1 and 2).

- *Displaying information in a particular geographic region:* central site www.yahoo.com displays auctions for particular geographic regions (e.g. Italy, Sweden) (V: see at least pages 1 and 2).

- *Listing currency, languages; shipping region:* global commerce site supports regions around the globe (please note examiner's interpretation: product purchased destined for a particular region is a shipping region); lists in local currencies, multiple languages (please note examiner's interpretation: user who speaks Italian accesses Italian site for native language) (V: see at least page 2).

- *Parsing URLs:* from single site URL (auctions.yahoo.com), users access one or more sites with unique URLs (it.auctions.yahoo.com; se.auctions.yahoo.com) (V: see at least page 2). The reference inherently discloses the structure that permits the parsing to be performed. URLs are parsed to access network addresses within network domains.

- *Generating a markup language document:* web-based commerce site (please note examiner's interpretation: using one of several industry standard markup languages (e.g. HTML)) (V: see at least pages 1 and 2).

- *Generating offering categories in a particular order:* generates categories Arts & Entertainment, Toys & Games, Antiques & Collectibles, Electronics

& Cameras (please note examiner's interpretation: displayed in a

particular order) (V: see at least page 2).

- *Means for determining and displaying:* electronic commerce site

   connected to user over the Internet using the World Wide Web (www) (U:

   see pages 1-3). The reference inherently discloses network computer

   processing means providing generating means, determining means, and

   displaying means.

Pertaining to system Claims 25-36

Rejection of Claims 25-36 is based on the same rationale as noted above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

4.   **Claims 7-12, 18-24, and 31-36 are rejected under 35 USC 103(a) as being**

unpatentable over Yahoo! (Paper #20041209, PTO-892, Item: V) in view of

M2P (PTO-892, Item: U).

Yahoo! teaches Yahoo! launching three new European auction services for

Italy, Spain, and Sweden. Yahoo! further teaches:

- *Determining the site a user entered:* Please note: a user that selects a region-specific site and receives by the system the region-specific site web page demonstrates the system determined the site the user entered. Local content provided (see at least page 2).

- *Performing a search to locate an offering having a specified offering characteristic; specified by the user:* users browsing; multiple categories; (please note examiner's interpretation: user's searching) (V: see at least page 2).

- *Determining an availability of the offering in particular geographic region associated with the user:* users can easily browse, buy, view or sell (please note examiner's interpretation: item available if place for sell or user can buy it); specific geographic regions (V: see at least pages 1 and 2).

- *Displaying information in a particular geographic region:* central site www.yahoo.com displays auctions for particular geographic regions (e.g. Italy, Sweden) (V: see at least pages 1 and 2).

- *Listing currency, languages; shipping region:* global commerce site supports regions around the globe (please note examiner's interpretation: product purchased destined for a particular region is a shipping region); lists in local currencies, multiple languages (please note examiner's interpretation: user who speaks Italian accesses Italian site for native language) (V: see at least page 2).

- *Parsing URLs:* from single site URL (auctions.yahoo.com), users access one or more sites with unique URLs (it.auctions.yahoo.com; se.auctions.yahoo.com) (V: see at least page 2). The reference inherently discloses the structure that permits the parsing to be performed. URLs are parsed to access network addresses within network domains.

- *Generating a markup language document:* web-based commerce site (please note examiner's interpretation: using one of several industry standard markup languages (e.g. HTML)) (V: see at least pages 1 and 2).

- *Generating offering categories in a particular order:* generates categories Arts & Entertainment, Toys & Games, Antiques & Collectibles, Electronics & Cameras (please note examiner's interpretation: displayed in a particular order) (V: see at least page 2).

- *Means for determining and displaying:* electronic commerce site connected to user over the Internet using the World Wide Web (www) (U: see pages 1-3). The reference inherently discloses network computer processing means providing generating means, determining means, and displaying means.

Yahoo! teaches all the above as noted under the 103(a) rejection and further teaches the Yahoo! global commerce site supporting regions around the globe and listing in local currencies and multiple languages (V: see at least page 2), but does not disclose listing currency in conjunction with native currency to the user. M2P teaches Hewlett Packard's launching an electronic commerce site that

allows online customers to select and buy products in local currency and in Euros

from a list of five local resellers. Therefore it would have been obvious to one of

ordinary skill in the art at time of the invention to modify the method of Yahoo! to

list currency in conjunction with a native currency for the user as taught by M2P,

in order to provide a shopping convenience, and thereby attract native users to a

region-specific service.

5.   **Claim 13 is rejected under 35 USC 103(a) as being unpatentable over**

Yahoo! (Paper #20041209, PTO-892, Item: V) and M2P (PTO-892, Item: U), as

applied to claim 7, in view of Pollick (Paper #20041209, PTO-892, Item: VV).

Yahoo! and M2P teach all the above as noted under the 103(a) rejection and

teach transacting auctions globally via the Yahoo! electronic commerce site, but

does not disclose fixed price transactions. Pollick teaches Yahoo! auctions and

further teaches Zshops, a fixed-price alternative to auctions being implemented

by Amazon as a customer service (VV: see at least page 5). Therefore it would

have been obvious to one of ordinary skill in the art at time of the invention to

modify the method of Yahoo! and M2P to implement fixed-pricing as a customer

service as taught by Pollick, in order to provide an alternative to auction-based

pricing, and thereby attract users desiring fixed-pricing as a customer service.

6.   **Claims 14-17 and 37-40 are rejected under 35 USC 103(a) as being**

unpatentable over Well Fargo (Paper #20041209, PTO-892, Item: U) in view

of M2P (PTO-892, Item: U).

Wells Fargo teaches a multi-currency e-commerce storefront for commerce

sites hosting one site or multiple sites (U: see at least page 2). Wells Fargo

further teaches:

- *Determining a listing currency of an offering that is presented for sale:* price

    for each item is listed in the local currency rather than in U.S. dollars;

    displaying item purchase prices in native currency so that international

    customers no longer have to purchase a product in U.S. dollars (please note

    examiner's interpretation: listing currency is determined in U.S. dollars). (U:

    see at least page 2).

- *Converting the listing currency into a native currency:* price for each item is

    listed in the local currency rather than in U.S. dollars; settlement with e-

    commerce site is in U.S. dollars based on the established exchange rate for

    that day (please note examiner's interpretation: listing is converted to local

    currency based on established exchange rate) (U: see at least page 2).

- *Means for determining and displaying:* The reference inherently discloses the

    structure that permits determining means, generating means, and displaying

    means; electronic commerce site connected to user over the Internet using

    the World Wide Web (V: see pages 1-3).

Wells Fargo teaches all the above as noted under the 103(a) rejection and teaches a) listing items for sale in native currency, b) applying an established exchange rate to perform conversions in US dollars to/from local currencies, and further teaches international customers no longer having to purchase a product in U.S. dollars (please note examiner's interpretation: once was listed in U.S. dollars), but does not disclose displaying the listing currency in conjunction with the native currency. M2P teaches Hewlett Packard's launching an electronic commerce site that allows online customers to select and buy products in local currency and in Euros from a list of five local resellers. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Yahoo! to list currency in conjunction with a native currency for the user as taught by M2P, in order to provide a shopping convenience, and thereby attract native users to a region-specific service.

Pertaining to system Claims 37-40

Rejection of Claims 37-40 is based on the same rationale as noted above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Pond
Patent Examiner
December 7, 2005